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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR-08-00472-JF
)	
Plaintiff,)	STIPULATION TO CONTINUE STATUS
v.)	CONFERENCE; [PROPOSED] ORDER
)	
YONG YI OU)	
)	
Defendant.)	
_____)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the court's approval, the status conference in the above-captioned matter, presently scheduled on Wednesday, September 9, 2009 be continued to Wednesday, September 30, 2009 at 9:00 a.m. The reason for the continuance is defense counsel will be out of the district for medical reasons.

The parties further agree and stipulate that time should be excluded from and including Wednesday, September 9, 2009 through and including Wednesday, September 30, 2009, for effective preparation and continuity of defense counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B)(iv). Accordingly, the United States and the defendant agree that granting

1 the requested exclusion of time will serve the interest of justice and outweigh the interest of the
2 public and defendant in a speedy trial.

3 Dated: September 4, 2009

/s/
NICHOLAS P. HUMY
Assistant Federal Public Defender

5 Dated: September 4, 2009

/s/
SUSAN KNIGHT
United States District Attorney

7
8
9 **[PROPOSED] ORDER**

10
11 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status conference
12 presently scheduled on Wednesday, September 9, 2009 is continued to Wednesday, September
13 30, 2009 at 9:00 a.m.

14 IT IS FURTHER ORDERED, that the time between September 9, 2009 through
15 September 30, 2009, shall be excluded for effective preparation and continuity of defense
16 counsel, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(8)(A) and (B)(iv).

17
18 IT IS SO ORDERED.

19 Dated: 9/8/09 _____

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HONORABLE JEREMY FOGEL
United States District Judge